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Attorney Docket: 074066-0282594

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:  
PUCKERIDGE

Application No.: 09/985,691

Filed: November 5, 2001

Confirmation Number: 4006

Group Art Unit: 2674

Examiner: Glenn K. Dawson

Title: CPAP APPARATUS FOR SWITCHING BETWEEN OPERATIONAL MODES OF  
THE CPAP APPARATUS AND A CONTROLLER AND METHOD FOR DOING THE SAME

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Non-Fee Amendments  
Commissioner for Patents  
P.O.Box 1450  
Alexandria, VA 22313-1450

Sir:

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Technology Center 2600

In response to the Office Action dated June 18, 2003, Applicant elects the invention of Group I (identified in the action as claims 15-52) with traverse. Applicant reserves the right to pursue any non-elected claims in a divisional application at a later date.

It is respectfully submitted that the subject matter of claims 15-74 is sufficiently related that a thorough search for the subject matter of any one group of claims would necessarily encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be performed without serious burden. M.P.E.P. § 803 clearly states that "[i]f the search and examination of the entire application can be made without serious burden, the examiner must examine it on its merits, even though it includes claims to distinct or independent inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to applicants and duplicative examination by the Patent Office.

Respectfully submitted,

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